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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,695	02/02/1999	HISANORI NAKAJIMA	Q53164	7689

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EXAMINER
NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 May 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-17_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) ☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _11/10/04 & 3/14/05_.	6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 05/25/2004 to the

original application filed 02/02/1999.

2.   Claims 1-17 are currently pending in this application. Claims 1,7, 10 and 17 are

independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
> to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner
> presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made
> absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention
> dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the
> applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lhotak** in

view of **Tokiwa** "Color Printer", Publication Date 07/1997, as cited by Applicant's IDS

filed 11/10/2004.

As to independent claims 1, 7, 10 and 17:

a.   Lhotak teaches:

(i)   obtaining print data which can be printed by a printing device, and

spooling the print data into a predetermined memory *(col.3, lines 36-48)*;

(ii)   converting the spooled print data into a display data of a predetermined

structure *(Abstract/ col. 2, lines 16-50 & col.3, lines 11-16)*, and

displaying the display data on a displaying device *(col.2, lines 37-56)*;

(iii)   editing the display data which is being displayed *(col.2, lines 46-49)*, on

the basis of an edit instruction data which is input at the display *(col.2,*

lines 46-49/col.5, lines 2-25 & Fig.3, item 36); and

b.   Lhotak does not specifically teach *"inversely converting the edited display data*

into a structure of the spooled print data."

c.   Tokiwa teaches inversely converting the edited display data into a structure of the

spooled print data *(e.g., the printed data ...after color correction output from the*

color correction part 22 is, in the data form, converted from the RGB color space

to the original CMYK color space; page 6, 2nd para.).

d.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Tokiwa and Lhotak because it

would have provided the capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 2:

a.   Tokiwa teaches a process of correcting color components contained in the display

data which is being displayed *(page 9, para.0037)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda and Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 3:

a.   Tokiwa teaches the print data consists of actual print information based on a print

request and added-value information which is posteriorly added, the step of

editing the display data uses only the added-value information which is being

displayed, as an edition object *(page 5, para.0030)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda and Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 4:

a.   Tokiwa teaches the added-value information is a template data which can be

overlapping printed onto plural allocated pages, the allocated pages being

allocated to one print sheet, and, when a position of the template data in one of

the allocated pages is changed, the position change is reflected on the other

allocated pages *(page 12, para.0041)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda and Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 5:

a.   Tokiwa teaches movement of the position of the template data in one of the

allocated pages is interlocked with movement of the position of the template data

in the other allocated pages *(page 8, para.0034)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda and Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 6:

a.   Tokiwa teaches the added-value information is a template data which can be

overlapping printed onto plural allocated pages, the allocated pages being

allocated to one print sheet, and the position of the template data in one of the

allocated pages is varied depending on whether the page is an odd page or an

even page *(page 2)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda with Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 8:

a.   Tokiwa teaches object detecting means for detecting an object of a region which

is designated in the display data which is being displayed, and object editing

means for editing contents of the detected object on the basis of an instruction,

and the data editing means edits the display data in the unit of object *(page 8,*

para .0034 & 0038).

b.   It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Takeda and Lhotak because it

would have provided capability for processing the low level device dependent

information transmitted from the interpreter and reconstructs it into a high level

object oriented data representation using the information provided by the marking

request.

As to dependent claim 9:

Lhotak teaches the data editing means edits display data which are spooled and converted in a predetermined time period *(col.5, lines 2-25 & Fig.3, items 36-37)*.

As to dependent claim 11:

a.   Lhotak teaches the data edit process is a process of detecting an object added to the print data and editing contents of the object on the basis of an instruction *(page 10, para.0038)*.

b.   It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Takeda and Lhotak because it would have provided capability for processing the low level device dependent information transmitted from the interpreter and reconstructs it into a high level object oriented data representation using the information provided by the marking request.

As to dependent claims 12-16:

They include the same subject matter as in claims 2-6, and are similarly rejected under the same rationale.

Response to Arguments

4.   Applicants' arguments filed on 05/25/2004 have been fully considered but they are not persuasive.

a.   Applicant argues that *there is no 'inverse' conversion disclosed by the Lhotak reference.* (Remarks, page 3, 2nd full para.)

b.   In response, the rejection above shows how the teachings of the newly applied

prior art (To Kine) meet the claim limitations.

c.   As to dependent claims 2-6, 8-9, and 11-16, the arguments are not persuasive for

reason as discussed above with regards to independent claims 1, 7, 10, and 17.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-

4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30

pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on (571) 272-4090.

The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen
April 4, 2005

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER